

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

JIPC MANAGEMENT, INC.,  
Plaintiff,

v.

INCREDIBLE PIZZA CO., INC.;  
INCREDIBLE PIZZA FRANCHISE  
GROUP, LLC; CJM RACING, LLC.;  
Defendants.

Case No. CV08-4310 CBM (PLAx)

**FINAL JUDGMENT**

The above-entitled matter came on regularly for trial on liability and damages on March 16, 2010 and continued through March 30, 2010 in Courtroom 2 of the United States District Court, Central District of California, the Honorable Consuelo B. Marshall presiding. Plaintiff JIPC Management, Inc. ("Plaintiff") appeared by and through its attorneys, Edward C. Duckers and Steven E. Klein of Stoel Rives LLP; Defendants Incredible Pizza Co., Inc. and Incredible Pizza Franchise Group, LLC ("Defendants") appeared by and through their attorneys, Fredric A. Cohen of Cheng Cohen LLC and David M. Anderson of Bacal Law Group.

A jury was regularly impaneled and sworn. Witnesses were sworn and testified and evidence was introduced and admitted. After hearing the evidence and

1 arguments of counsel, the jury was instructed by the Court and the matters being  
2 tried submitted to them with directions to return a verdict on special issues.

3 In addition, following the jury's return of a verdict, the above-entitled matter  
4 came on regularly for a bench trial on Plaintiff's claims for injunctive relief and  
5 Defendants' affirmative defenses on April 18 and 19, 2011 in Courtroom 2 of the  
6 United States District Court, Central District of California, the Honorable Consuelo  
7 B. Marshall presiding. Witnesses were sworn and testified and evidence was  
8 introduced and admitted. After hearing the evidence and arguments of counsel, the  
9 Court took the matter under submission and rendered a decision.

10 **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED**

11 that, by reason of the parties' stipulations of fact, the exhibits received, the  
12 testimony at trial, the jury's special verdict, and the further findings of this Court,  
13 judgment is hereby entered in favor of Plaintiff and against Defendants on  
14 Plaintiff's First Claim for Federal Trademark Infringement, Plaintiff's Second  
15 Claim for Federal Unfair Competition, Plaintiff's Third Claim for violation of  
16 California Business and Professions Code §§ 14245 and 14250, and on Plaintiff's  
17 Sixth Claim for violation of California Business and Professions Code §§ 14402  
18 and 14145. Defendants' profits attributable to its willful infringement of Plaintiff's  
19 trademarks are awarded in favor of Plaintiff and against Defendants, jointly and  
20 severally, in the amount of \$112,500 as found by the jury.

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, by  
22 reason of this Court's orders dated June 24, 2009 and June 29, 2009, and other  
23 findings of this Court, judgment is hereby entered: 1) in favor of Defendants and  
24 against Plaintiff on Defendants' Sixth Counterclaim for declaratory judgment and  
25 on Plaintiff's Sixth Count for attorney's fees, and 2) in favor of Plaintiff and against  
26 Defendants on Defendants' First Counterclaim for declaration of noninfringement;  
27 Defendants' Second Counterclaim for cancellation of U.S. Trademark Registration  
28 No. 3,099,682; Defendants' Third Counterclaim for cancellation of U.S. Trademark

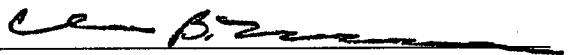
1 Registration No. 3,061,612; Defendants' Fourth Counterclaim for cancellation of  
2 U.S. Trademark Registration No. 3,058,427; Defendants' Fifth Counterclaim for  
3 cancellation of U.S. Trademark Registration No. 3,025,377; and Defendants'  
4 Seventh Counterclaim for attorney's fees.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, by  
6 reason of this Court's order dated September 29, 2011, and other findings of this  
7 Court, Plaintiff is the prevailing party and entitled to its taxable costs pursuant to  
8 Fed. R. Civ. P. 54(d) and Local Rule 54.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, by  
10 reason of this Court's order dated October 15, 2008, defendant CJM Racing, LLC is  
11 dismissed from this action without prejudice.

12 **IT IS SO ORDERED, ADJUDGED AND DECREED.**

13 DATED: October 25, 2011

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15 United States District Judge  
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